

City of Annapolis
Alcoholic Beverage Control Board
August 3, 2011

The Regular Meeting of the Alcoholic Beverage Control Board of the City of Annapolis was held on August 3, 2011 in the City Council Chamber. Chair Leonard Berman called the meeting to order at 7:10 p.m.

Present: Chair Leonard Berman, Vice Chair Lawrence Harris, Jr, Members Elizabeth Finkle, Sean O'Neill, Catherine Shultz

Staff: Assistant City Attorney Gary Elson

Vice Chair Harris moved to approve the Journal of Proceedings of July 6, 2011. Seconded. CARRIED on voice vote.

PUBLIC HEARINGS

- **OSTERIA 177** – Upgrade

Application has been made for an upgrade of license from an existing Class B-4 Restaurant, beer, wine and liquor, on sale, eleven a.m. to twelve midnight seven days a week (special Sunday license) to a Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by James Hutchinson, James Kujawski and Michael D. Loprete, Jr. for the premises known as Osteria, LLC t/a OSTERIA 177, 177 Main Street, Annapolis, Maryland 21401.

Samuel J. Brown, attorney for the applicants, Hillman, Brown & Darrow, P.A., 221 Duke of Gloucester Street, Annapolis, Maryland 21401 gave a brief presentation.

Licensee, James Hutchinson was present and answered questions addressed by the Board.

Owner/Chef, Arturo Ottaviano was present and answered questions addressed questions.

Licensees, James Kujawski and Michael D. Loprete, were not present.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application for an upgrade to Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a

week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by James Hutchinson, James Kujawski and Michael D. Loprete, Jr. for the premises known as Osteria, LLC t/a OSTERIA 177, 177 Main Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Berman declared the public hearing closed.

- **AQUA TERRA – Upgrade**

Application has been made for an upgrade of license from an existing Class B-2 Restaurant, beer, wine and liquor, only with meals, six a.m. to twelve midnight seven days a week (special Sunday license) to a Class B-4.x, Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Alexandra M. Fotos and Kenneth D. Chase for the premises known as North Bay Enterprises, Inc. t/a AQUA TERRA OF ANNAPOLIS, 164 Main Street, Annapolis, Maryland 21401.

Erin A. Appel, attorney for the applicants, Capitol Strategies, LLC, One State Circle, Annapolis, Maryland 21401 gave a brief presentation.

Licensees, Alexandra Fotos and Ken Chase were present and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application for an upgrade to Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Alexandra M. Fotos and Kenneth D. Chase for the premises known as North Bay Enterprises, Inc. t/a AQUA TERRA OF ANNAPOLIS, 164 Main Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Berman declared the public hearing closed.

- **BUDDY'S CRABS & RIBS – Upgrade**

Application has been made for an upgrade of license from an existing Class B-4 Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license) to a Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Tara Stout, Michael Blonder and Joseph Blonder known as Buddy's Crabs & Ribs, Inc. t/a BUDDY'S CRABS & RIBS, 100 Main Street, Annapolis, Maryland 21401.

Licensees, Tara Stout and Michael Blonder were present and answered questions

addressed by the Board.

Licensee, Joseph Blonder recently deceased, has been removed as a licensee without replacement.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application for an upgrade to Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days a week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Tara Stout and Michael Blonder known as Buddy's Crabs & Ribs, Inc. t/a BUDDY'S CRABS & RIBS, 100 Main Street, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Berman declared the public hearing closed.

- **MISS SHIRLEY'S CAFÉ – New**

Application has been made for a new alcoholic beverage license Class B-4.x, Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Christina Hambruch and Edward L. Dopkin for the premises known as Classic Coldspring East, LLC t/a MISS SHIRLEY'S CAFE, One Park Place, Suite 5, Annapolis, Maryland 21401.

Alan J. Hyatt, attorney for the applicants, Hyatt & Weber, P.A., 200 Westgate Circle, Suite 500, Annapolis, Maryland 21401 gave a brief presentation and entered the following into the record:

- Exhibit # 1: Affidavit of Sign Posting
- Exhibit # 2: Certificate of Good Standing
- Exhibit # 3: Amended Application, question 13 (b)
- Exhibit # 4: Tax Map – Identification of building
- Exhibit # 5: Tenant Space
- Exhibit # 6: Breakfast and Lunch menus
- Exhibit # 7: Interior floor plan
- Exhibit # 8: Revised Sidewalk Café seating plan
- Exhibit # 9: Alcohol Training Certificates
- Exhibit # 10: Curriculum Vitae for Mr. Tullier
- Exhibit # 11: Public Need Analysis and Report

Applicants, Christina Hambruch and Edward L. Dopkin were present and answered questions addressed by the Board.

Present and testified on behalf of the application:

Shepard Tullier, Land Use Consultant, LandVisions, Inc., 1982 Moreland Parkway, Suite 201, Annapolis, Maryland 21401

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application for a new Class B-4.x Restaurant, beer, wine and liquor, on sale, six a.m. to twelve midnight seven days per week (special Sunday license), in addition, sales as authorized from twelve midnight to two a.m. by Christina Hambruch and Edward L. Dopkin for the premises known as Classic Coldspring East, LLC t/a MISS SHIRLEY'S CAFE, One Park Place, Suite 5, Annapolis, Maryland 21401. Seconded. CARRIED on voice vote.

Chair Berman declared the public hearing closed.

BUSINESS AND MISCELLANEOUS

- **NAVAL ACADEMY ATHLETIC ASSOCIATION** – Special Events, Aug. 27-28

Requests for Special Class C, One Day Liquor License

Applicant, Bill Givens presented the requests and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve both applications for Special Class C, One Day Liquor License, beer only, to the NAVAL ACADEMY ATHLETIC ASSOCIATION from 11:30 a.m. to 6:00 p.m. on August 27 and from 1:00 p.m. to 4:00 p.m. on August 28, 2011. Seconded. CARRIED on voice vote.

- **THE WHAT'S UP FOUNDATION/COMMUNITY FOUNDATION OF AA COUNTY**

Request for Special Class C, One Day Liquor License at Park Place – open grassy area during a fundraiser/festival event, September 30, 2011

Applicants, Veronica Tovey and Joanna Baker presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application of a Special Class C, One Day

Liquor License, beer only, to WHAT'S UP FOUNDATION/COMMUNITY FOUNDATION OF ANNE ARUNDEL COUNTY from 6:00 p.m. to 10:00 p.m. on September 30, 2011. Seconded. CARRIED on voice vote.

- **ST. MARY'S PARISH** – Wine & Arts Festival, September 5

Request for Special Class C, One Day Liquor License, including beer truck on premises with live music

Steve Linhard, Chief Administrative Officer for St. Mary's Parish presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application of a Special Class C, One Day Liquor License, beer and wine, to SAINT MARY'S PARISH from 12 noon to 7:00 p.m. on September 5, 2011. Seconded. CARRIED on voice vote.

- **ANNE ARUNDEL COMMUNITY COLLEGE FOUNDATION** – Gala, October 15

Request for Special Class C, One Day Liquor License with Consumption on City Property

Applicant Amy Chase, Assistant Director of Development for AACO Foundation presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the application of a Special Class C, One Day Liquor License beer only, to ANNE ARUNDEL COMMUNITY COLLEGE FOUNDATION from 6:00 p.m. to 10:00 p.m. on October 15, 2011. Seconded. CARRIED on voice vote.

Without objection, the agenda was amended to allow a new Business and Miscellaneous item.

- **EASTPORT YACHT CLUB** – Special Event, August 27, 2011

Request for Club event open to the public, with live music during the Boatyard Bar & Grill Regatta to benefit Chesapeake Region Accessible Boating

Jeanne Langdon, Executive Board Member for Eastport Yacht Club presented the request and answered questions addressed by the Board.

No one from the general public spoke in favor or in opposition to the application.

Vice Chair Harris moved to approve the request of EASTPORT YACT CLUB for a special Club event open to the public with live music from 4:00 p.m. to 9:00 p.m. on August 27, 2011. Seconded. CARRIED on voice vote.

Without objection, the order of the agenda resumed.

SPECIAL ORDER OF BUSINESS

- **ELECTION OF ABCB OFFICERS**

Annual Election of Officers

Member Harris nominated member Berman as Chair of the Alcoholic Beverage Control Board. Seconded. CARRIED on voice vote.

Member Berman moved to close the nomination. Seconded. CARRIED on voice vote.

Member O'Neill nominated member Harris as Vice Chair. Seconded. CARRIED on voice vote.

Member O'Neill moved to close the nomination. Seconded. CARRIED on voice vote.

Chair Berman moved to adjourn the Regular Meeting at 9:35 p.m. Seconded. CARRIED on voice vote.

Without objection, the Board moved into Executive Session

- **CLOSED SESSION**

In accordance with Maryland State Government Article 10-508 (a) the Board proceeded to close session for the purpose of consulting with the City Attorney on procedural matters.

Chair Berman moved to adjourn the closed session at 10:00 p.m. Seconded. CARRIED on voice vote.

Theresa Bucalo, CMC
Deputy City Clerk